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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
RODANTE A. MIRANDA,)
)
Defendant.)
_____)

No. CR 08-0380 MHP

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME FROM
AUGUST 25, 2008 THROUGH
SEPTEMBER 8, 2008

On August 25, 2008, the parties in this case appeared before the Court for status hearing. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculations from August 25, 2008 through September 8, 2008, for effective preparation and continuity of defense counsel. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the

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STIP. AND ORDER
CR 08-0380 MHP

ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

8/26/2008
DATED: _____

/s/ Derek Owens

DEREK OWENS
Assistant United States Attorney

8/26/2008
DATED: _____

/s/ Geoff Hansen

GEOFF HANSEN
Attorney for Mr. Miranda

As the Court found on August 25, 2008, and for the reasons stated above, the Court finds that an exclusion of time between August 25, 2008 through September 8, 2008, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: _____

THE HONORABLE MARILYN HALL PATEL
United States Magistrate Judge